

# MOSES & SINGER LLP

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May 4, 2021

**SENT VIA ECF**

Hon. Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: United States v. Ariel Tavarez**  
**1:19 Cr. 00690 (KPF)**

Dear Judge Failla:

On behalf of my client, Ariel Tavarez, and with the Government's consent, I would respectfully request that the pretrial motion schedule, and subsequent Court conference dates be modified to permit me required additional time to review and discuss with him, a possible pre-trial disposition of his case.

This is my second such extension request. Unfortunately Mr. Tavarez' has been in quarantine lockdown for the past 2 weeks and notwithstanding my best efforts, I've only been able to speak with him one time for about 20-minutes. According to Mr. Tavarez, he's also attempted to contact me, but due to his present circumstances, he's also been unsuccessful.

Accordingly, should there be no disposition, I would request that the Court permit me until May 20 for defense motions, June 3rd for the Government's response, and June 10 for our reply, if any. We would ask that the Court set a convenient date thereafter, for the adjournment of the conference, which is presently scheduled for June 18, 2021.

On behalf of Mr. Tavarez, we waive speedy trial time through whatever date the Court sets, based on the reasons contained within this request and in the interests of justice.

The Court's consideration is greatly appreciated.

Respectfully,

/s/ Barry S. Zone

Barry S. Zone

cc: AUSA Aline Flodr  
AUSA Nicholas Chiuchiolo  
AUSA Mollie Bracewell

Application GRANTED. Defendant's motions, if any, shall be due on or before May 20, 2021; the Government's opposition shall be due on or by June 3, 2021; and Defendant's reply shall be due by June 10, 2021. Oral argument shall still take place on June 18, 2021, at 9:00 a.m. with a backup time of 11:00 a.m. (See Dkt. #136).

Dated: May 4, 2021  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE